

**Merchant & Gould**  
An Intellectual Property Law Firm

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TEL 612.332.5300  
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Fax Transmission | January 26, 2005

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To:	Gailene Gabel	From:	Nakida Gillespie
Company:	Patent Examining Corps	Our Ref.:	08966.0033USRE
Your Ref.:	Unknown	Fax No.:	612.332.9081
Fax No.:	1.703.872.9306	Phone No.:	612.766.6043
Phone No.:	571.272.0820	Total Pages:	13
State/Country:		E-Mail:	<a href="mailto:ngillespie@merchant-gould.com">ngillespie@merchant-gould.com</a>
Confirmation Via Mail:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Return Fax To:	Nakida Gillespie

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Document Transmitted: Request for Withdrawal as Attorney of Record

Message: Ms. Gabel, I am resending these requests to Withdrawal documents, because there is no record on the USPTO website that our initial petition was received.  
Thanks,

*Nakida Gillespie*  
Nakida Gillespie

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This transmission contains information that is confidential and/or legally privileged. It is intended for use only by the person to whom it is directed. If you have received this telecopy in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us.

If you did NOT receive all of the pages, please call us in the U.S.A. at 612.336.4664 or fax us at 612.332.9081.

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A Professional Corporation

Fax Transmission | December 09, 2004

TO: Commissioner for Patents  
Attn: Gailene Gabel  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Mark E. Deffner

OUR REF: 08966.0033USF1  
TELEPHONE: 612.371.5278

Total pages, including cover letter:

**PTO FAX NUMBER 1-703-872-9306**

If you do NOT receive all of the pages, please telephone us at 612.336.4667, or fax us at 612.332.9081.

Document Transmitted: Request for Withdrawal as Attorney of Record.

Applicant: Abbott Laboratories  
Serial No.: 08/403844  
Filed: 6/23/1998  
Patent No.: Pending  
Issue Date: Pending  
Our Ref. No.: 08966.0033USF1

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402  
(612) 332-5300

By \_\_\_\_\_  
Mark E. Deffner  
Reg. No.: 55,103

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the following date.

*Nakida Gillespie* \_\_\_\_\_ *12/09/2004* \_\_\_\_\_  
Nakida Gillespie Date

PTO/SB/83 (09-04)

Approved for use through 11/30/2005, OMB 0651-0035  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	08/403844
	Filing Date	6/23/1998
	First Named Inventor	Oystein Fodstad
	Art Unit	1641
	Examiner Name	Gailene Gabel
	Attorney Docket Number	08966.0033USF1

**To:** Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Please withdraw me as attorney or agent for the above identified patent application, and

all the attorneys/agents of record.  
 the attorneys/agents (with registration numbers) listed on the attached paper(s), or  
 the attorneys/agents associated with Customer Number [REDACTED]

NOTE: This box can only be checked when the power of attorney of record in the application is to all the practitioners associated with a customer number.

The reasons for this request are:

The client has assented to our withdrawal.

### CORRESPONDENCE ADDRESS

1.  The correspondence address is NOT affected by this withdrawal.  
 2.  Change the correspondence address and direct all future correspondence to:

Firm or Individual Name	Abbott Laboratories, Inc. Pharmaceuticals Attn: Bill Murray				
Address	100 Abbott Park Road Patent & Trademark Department #377				
City	Abbott Park	State	IL	Zip	60064-3500
Country	United States				
Telephone	630-271-7064	Fax			
Signature					
Name	Mark E. Deffner	Registration No.	55,103		
Date	12-07-2004	Telephone No.	612.332.5300		

NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

This collection of information is required by 37 CFR 1.38. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Direct Contact

Brent Routman  
612.336.4619  
[broutman@merchant-gould.com](mailto:broutman@merchant-gould.com)

A Professional Corporation

November 30, 2004

## VIA CERTIFIED MAIL

Mr. Bill Murray  
Abbott Laboratories, Inc.  
Dept. 377  
Building AP6A/1  
100 Abbott Park Road  
Abbott Park IL 60064

Re: Withdrawal From Representation  
Merchant & Gould Reference No.: M&G 08966

Dear Mr. Murray:

Our firm has decided to withdraw from representation of Abbott Laboratories. To facilitate the withdrawal of our representation, we have requested from the United States Patent and Trademark Office permission to withdraw as attorney of record. Enclosed please find copies of these requests. This filing with the United States Patent and Trademark Office will allow us to formally withdraw from representation. Once approval is received by Merchant & Gould, we will no longer be held responsible for your legal matters.

I am also transferring to you at this time your original files, as listed herewith, and have not retained copies. These files will be removed from our docket system, and once the Patent and Trademark Office has granted the withdrawal, we understand that you will assume responsibility for all future docket dates. Enclosed is a current Docket Report detailing all outstanding due dates for the next one year period. We have removed these deadlines from our *docket* and *annuity* system. You are advised to immediately seek new counsel so as not to jeopardize your intellectual property portfolio. Failure to respond as required by the USPTO to future docket dates could result in the loss of your intellectual property rights. We understand that you are already working with the firm of Wood, Phillips, Katz, Clark and Mortimer regarding related files. Accordingly, we believe our withdrawal would not prejudice Abbott Laboratories.

Finally, we note that you have still an outstanding balance of \$3,865.87. We trust that you will remit payment shortly.

Minneapolis/St. Paul  
Denver  
Seattle  
Atlanta  
Washington, DC

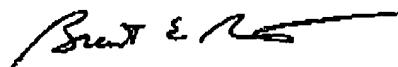
November 30, 2004

Page 2

Please acknowledge receipt and assume responsibility for these files by signing and returning the attached copy of this letter.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



Brent Routman  
Merchant & Gould

BR:MED:kf

Enclosures: Docketing Reports  
Duplicate Copy of Client Letter  
Duplicate Copy of Request to Withdraw as Attorney of Record  
File List  
Files

cc: Annuity Department  
Client Records Supervisor  
Docketing Department  
USPTO

I hereby acknowledge receipt and responsibility of the files on the attached files list.

Name

Signature

Date